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Attorneys for Defendant CALIFORNIA SECURITY ALARMS, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

YVONNE COX,
Plaintiff,
vs.
CALIFORNIA SECURITY ALARMS, INC.,
Defendants.

NO. C04-02530 SI
**STIPULATION RE:
DISMISSAL OF SPECIFIC
CLAIMS WITH PREJUDICE**
TRIAL DATE: March 6, 2006

The parties to the above-entitled action jointly submit this Stipulation Re: Dismissal with Prejudice of specific causes of action and partial causes of action prior to trial, hereby waiving each party's respective attorney's fees as to said dismissed causes of action and claims: Waiving the respective parties' attorney fees and costs:

CAL:1389:PWD:H0025265.DOC.1}
Dismissal of Causes of Action 1, 2, 3, 4 (Partial) and Causes of Action 3, 6, 7, 8, (Entire)
CASE NO. C04-02530 SI

1 1. WHEREAS, Plaintiff's Complaint contains a Cause of Action (number 1)
2 entitled RACE DISCRIMINATION, HARASSMENT, AND RETALIATION IN
3 VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964; and she now
4 voluntarily dismisses the RACE HARASSMENT element of the First Cause of Action
5 **"with prejudice"**;

6
7 2. WHEREAS, Plaintiff's Complaint contains a Cause of Action (number 2)
8 entitled RACE DISCRIMINATION, HARASSMENT, AND RETALIATION IN
9 VIOLATION OF FAIR EMPLOYMENT AND HOUSING ACT "FEHA"; and Plaintiff now
10 voluntarily dismisses the RACE HARASSMENT element of the Second Cause of
11 Action **"with prejudice"**;

12
13 3. WHEREAS Plaintiff's Complaint contains a Cause of Action (number 3)
14 entitled DISABILITY DISCRIMINATION, HARASSMENT AND RETALIATION,
15 FAILURE TO PROVIDE A REASONABLE ACCOMMODATION AND FAILURE TO
16 ENGAGE IN THE INTERACTIVE PROCESS IN VIOLATION OF THE CALIFORNIA
17 FAIR EMPLOYMENT AND HOUSING ACT ("FEHA"); Plaintiff has previously dismissed
18 her Third Cause Action **"without prejudice"**; and Plaintiff now voluntarily dismisses the
19 Third Cause of Action **"with prejudice"**;

20
21 4. WHEREAS, Plaintiff's Complaint contains a Cause of Action (number 4)
22 entitled GENDER DISCRIMINATION, HARASSMENT, AND RETALIATION IN
23 VIOLATION OF VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964; and
24 Plaintiff now voluntarily dismisses the GENDER DISCRIMINATION element of the
25

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27 Dismissal of Causes of Action 1, 2, 3, 4 (Partial) and Causes of Action 3, 6, 7, 8, (Entire)
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1
2 Fourth Cause of Action "with prejudice";
3

4 5. WHEREAS, Plaintiff's Complaint contains a Cause of Action (number 5)
5 entitled GENDER DISCRIMINATION, HARASSMENT, AND RETALIATION IN
6 VIOLATION OF FAIR EMPLOYMENT AND HOUSING ACT "FEHA"; and Plaintiff now
7 voluntarily dismisses the GENDER DISCRIMINATION element of the Fifth Cause of
8 Action "with prejudice";
9

10 6. WHEREAS, Plaintiff's Complaint contains a Cause of Action (number 6)
11 entitled CLAIM FOR OVERTIME WAGES STATE AND FEDERAL LAW VIOLATIONS;
12 and Plaintiff now voluntarily dismisses the Sixth Cause of Action "with prejudice";
13

14 7. WHEREAS, Plaintiff's Complaint contains a Cause of Action (number 7)
15 entitled VIOLATION OF LABOR CODE §201; and Plaintiff now voluntarily dismisses the
16 Seventh Cause of Action "with prejudice";
17

18 8. WHEREAS, Plaintiff's Complaint at page 13 contains a Cause of Action
19 (number 8) entitled INTERFERENCE WITH PROSPECTIVE ECONOMIC
20 ADVANTAGE; and Plaintiff now voluntarily dismisses this Eighth Cause of Action "with
21 prejudice";
22

23 9. WHEREAS, the parties agree that each shall bear their own attorney fees
24 and costs in relation to the foregoing causes of action, and that each party shall waive
25 any claim for attorney fees or costs in relation to the foregoing causes of action;
26

27 10. WHEREAS, the remaining causes of action are the First Cause of Action
28

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Dismissal of Causes of Action 1, 2, 3, 4 (Partial) and Causes of Action 3, 6, 7, 8, (Entire)
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1
2 (Race Discrimination and Retaliation only); the Second Cause of Action; (Race
3 Discrimination and Retaliation only); the Fourth Cause of Action (Gender Discrimination
4 and Retaliation only), the Fifth Cause of Action (Gender Discrimination and Retaliation
5 only), and the Eighth Cause of Action entitled WRONGFUL TERMINATION IN
6 VIOLATION OF PUBLIC POLICY.

7
8
9 11. WHEREAS, Plaintiff will have 15 days following the execution of this
10 Stipulation and Order to file an Amended Complaint to reflect the remaining causes of
11 action note in Paragraph 10.; and

12
13 12. WHEREAS, Defendant will have 10 days following the filing of said
14 Amended Complaint to file an Amended Answer if necessary.

16
17 Therefore, Plaintiff requests dismissal with prejudice of the racial
18 harassment element of her First and Second Causes of Action, dismissal with
19 prejudice of the gender discrimination element of her Fourth and Fifth Causes of
20 Action, and dismissal with prejudice of her Third, Sixth, Seventh, and Eighth
21 Causes of Action (Interference with Economic Advantage) in their entirety.

22 5
23 Plaintiff hereby has 15 days to file an Amended Complaint in accordance
24 with this Order.

25 5
26 Defendant hereby has 10 days after the filing of said Amended Complaint

27 / / /
28 / / /

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Dismissal of Causes of Action 1, 2, 3, 4 (Partial) and Causes of Action 3, 6, 7, 8, (Entire)
CASE NO. C04-02530 SI

1 to file Amended Answer if necessary in accordance with this Order.
2

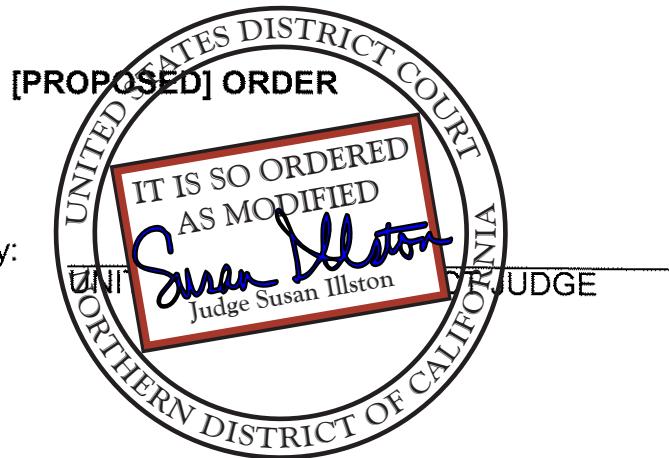
3 ~~SIGNATURE OF COUNSEL~~

4 DATED: January _____, 2006 By: /s/
5 BETH W. MORA, ESQ.
6 LAW OFFICES OF LUCIUS A.
COOPER
7 Attorneys for Plaintiff

8 DATED: January _____, 2006 By: /s/
9 H. ANN LIROFF, ESQ.
HANNIG LAW FIRM
10 Attorneys for Defendant
ALARMS, INC.

11 IT IS SO ORDERED.
12

13 DATED: _____ By:



28 {CAL:1389:PWD:H0025265.DOC.1}

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